

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

FRANK HARMON BLACK; and
SOUTHEAST INVESTMENTS, N.C., INC.,

Plaintiffs,

v.

FINANCIAL INDUSTRY REGULATORY
AUTHORITY; and
SECURITIES AND EXCHANGE
COMMISSION,

Defendants.

No. 3:23-CV-709-RJC-DCK

**PLAINTIFFS' MOTION FOR A
SPEEDY HEARING OF A
DECLARATORY JUDGMENT
ACTION, FED R. CIV. P. 57**

Plaintiffs Frank Harmon Black and Southeast Investments, N.C., Inc. (Black/Southeast), respectfully request “a speedy hearing of a declaratory-judgment action” under Rule 57 of the Federal Rules of Civil Procedure. The reasons for granting the motion are set forth in a supporting memorandum, in accord with LCvR 7.1(c). Counsel for all parties have conferred, per LCvR 7.1(b), and all parties desire a speedy, final resolution even though they are unable to reach agreement as to what that resolution ought to be.

DATED: June 25, 2025.

Respectfully submitted,

RUTH C. SMITH
N.C. Bar No. 26754
Elmore and Smith Law Firm
P.O. Box 1823
Weaverville, NC 28787
Tel.: (828) 367-7998
Fax: (828) 367-7991
Ruth@mywncattorney.com

/s/ Aditya Dynar
ADITYA DYNAR*
D.C. Bar No. 1686163
Pacific Legal Foundation
3100 Clarendon Blvd.
Suite 1000
Arlington, VA 22201
Tel.: (202) 888-6881
Fax: (916) 419-7747
ADynar@pacificlegal.org

CAMERON HALLING*
Cal. Bar No. 306778
Pacific Legal Foundation
555 Capitol Mall, Ste. 1290
Sacramento, CA 95814
Tel.: (916) 419-7111
Fax: (916) 419-7444
CHalling@pacificlegal.org

**admitted Pro Hac Vice*

Counsel for Plaintiffs